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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/203,223      | 11/30/1998  | RAJESH KANUNGO       | 23668.001739        | 3941             |

22434 7590 06/26/2003

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EXAMINER

LONSBERRY, HUNTER B

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2611

DATE MAILED: 06/26/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/203,223

Applicant(s)

KANUNGO, RAJESH

Examiner

Hunter B. Lonsberry

Art Unit

2611

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 6/11/03 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see continuation below.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see below.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

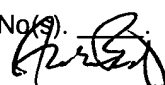
Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-14.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No. 9.
10. ☐ Other: \_\_\_\_\_

  
ANDREW FAILE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

1) Applicant argues that in regards to the 112 second rejection, "...that the specification clearly distinguishes between those areas allocated for video content only (video area 304) and those allocated for web page content (advertisement 320 and text 322). (Page 2)

Regarding argument 1, the examiner agrees that the application discloses that video area 304 is for video only and advertisement 320 and text 322 are shown in a different area. Figure 3b of the application shows a web page 302 which includes a video window 304' advertisement 320 other content 322 and controls window 310 all of which are contained and integrated within the web page 302, these areas "are implemented as widgets generated by the applet, but they also could be implemented as part of the page described by HTML (Page 9, lines 14-16 of the application). Claim 1 requires a number of virtual control API functions that control the display of video data on the web page, wherein the video data is not integrated with the content of the web page. Claim 1 is silent as to whether the video 304 advertisement 320 and other content 322 are displayed as separate frames or windows or displayed in altogether entirely different regions of webpage 302. Clearly, video window 304' is part of web page 302's content, as disclosed by the applicant, and thus integrated with all of the other content within the webpage such as other content 322 and advertisement 320. As such, the phrase "wherein the video data is not integrated with the content of the web page." is not well understood and runs counter to applicants Figures 3a-d where the video data is shown as being part of the web page.

2)Applicant argues "Therefore, the system described by Killian requires that ALL video data must be integrated with one or more of the audio/video overlays 32 prior to be sent for display on the television 40 since there is not direct signal between the tuner/decoder 24, for example, and the television 40. In this way, Killian only provides a display having Internet related information (i.e. web page content) full integrated with a TV signal in the form of, for example, an electronic guide shown in Fig. 5 and does not teach or suggest having Internet related information being displayed without being integrated with video data (see above)." (Page 2).

Regarding argument 2, Killian discloses that typically, regular television video is displayed in a first area on the television 40 and that internet information may be displayed in a second display area, the first and second areas can be moved, sized, merged blended, overlaid or manipulated according to the JAVA applet (column 5, lines 11-50). Claim 1 requires a number of virtual control API functions that control the display of video data on the web page, wherein the video data is not integrated with the content of the web page. Webster's dictionary defines integrate as: "to form, coordinate, or blend into a function or unified whole: UNITE." As the Internet information is displayed in a second area from the video information, the Internet information is not integrated with the video information. Additionally, Alexander is cited to show a display with a number of separate windows, which include video and other information.

3) Applicant argues, "The examiner also believes that Killian "inherently contains a PIP object and PIPinfo object which are utilized for the display and control of an EPG control panel"... The applicant respectfully disagrees since Killian never mentions the use of a separate window to control the EPG." "As discussed above with reference to Killian, "All video data must be integrated with one or more of the audio/video overlays 32" and therefore Alexander can not be used in combination with Killian since Alexander requires at least the video window 12 not be integrated with the EPG content which can not be accomplished using the system of Killian."(Pages 2-3)

Regarding argument 3, Killian discloses that EPG applet 70 or JAVA application 62 is downloaded from the internet to run on platform 1 and processor 8, the applet retrieves information for display, and controls the display of video data as well as controlling receiver functions (column 8, lines 5-56, column 13, line 12-column 14, line 16), a JAVA based operating system is run on platform 12, and a control API 60 which controls the placement of video as well as the video's properties such as video position, brightness, contrast. (column 6, line 6-column 7, line 32). As Killian teaches the use of a JAVA OS run on platform 12, it inherently contains a PIP object and PIPinfo object because such an applet is required in order to interact with the rest of the system and communicate with the JAVA enable hardware. Additionally, Killian discloses that typically, regular television video is displayed in a first area on the television 40 and that internet information may be displayed in a second display area, the first and second areas can be moved, sized, merged blended, overlaid or manipulated according to the JAVA applet (column 5, lines 11-50). Alexander is relied upon as it discloses an EPG display 10, with a video window 12, which is shown in its own separate window, rather than the display area as taught by Killian. Modifying Killian to include the separate windows of Alexander would result in a JAVA enabled EPG display where the windows are controlled by a JAVA application and the content of each window may or may not be associated with the video window.

tion, measurement, or control) 3: instruments for a particular purpose; also: a selection or arrangement of instruments  
**instrument flying** *n* (1928): navigation of an airplane by instruments only

**instrument landing** *n* (1938): a landing made with limited visibility by means of instruments and by ground radio direction  
**instrument panel** *n* (1922): a panel on which instruments are mounted; esp: DASHBOARD 2

**in-sub-or-di-nate** *\in(t)-sə-'bōr-d'n-ət, -'bōrd-nət* *adj* (ca. 1828): disobedient to authority — **in-sub-or-di-nate-ly** *adv*  
**in-sub-or-di-na-tion** *\in(t)-sə-'bōr-d'n-ə-'tā-shən* *n*

**in-sub-stan-tial** *\in(t)-sə-'stān(t)-shəl* *adj* [prob. fr. *F. insubstantiel*, fr. *LL insubstantialis*, fr. *L in- + LL substantialis* substantial] (1607): not substantial: as a: lacking substance or material nature b: lacking firmness or solidity c: FLIMS — **in-sub-stan-tial-i-ty** *\in(t)-sə-'stān(t)-shē-'a-lə-tē* *n*

**in-suf-fer-able** *\in(t)-sə-'f(ə)-rə-bəl* *adj* (15c): not to be endured: INTOLERABLE (an ~ bore) — **in-suf-fer-able-ness** *n* — **in-suf-fer-ably** *adv*

**in-suf-fi-cien-cy** *\in(t)-sə-'fi-shən(t)-sē* *n*, *pl -cies* (1526) 1: the quality or state of being insufficient: as a: lack of mental or moral fitness b: INCOMPETENCE (the ~ of this person for public office) c: lack of adequate supply (~ of provisions) d: lack of physical power or capacity; *specif*: inability of an organ or body part to function normally 2: something that is insufficient or falls short of expectations  
**in-suf-fi-cient** *\in(t)-sə-'fi-shənt* *adj* [ME, fr. MF, fr. *LL insufficient*, fr. *L in- + sufficient*, *sufficiens* sufficient] (14c): not sufficient: *inadequate*; esp: lacking adequate power, capacity, or competence — **in-suf-fi-cient-ly** *adv*

**in-suf-fla-tion** *\in(t)-sə-'flā-shən, -in-sə-'flā-* *n* [ME *insufflation*, fr. MF *insufflation*, fr. *LL insufflation*, *insufflatio*, fr. *insufflare* to blow upon, fr. *L in- + sufflare* to inflate, fr. *sub- + flare* to blow — more at BLOW] (15c): an act or the action of blowing on, into, or in: as a: a Christian ceremonial rite of exorcism performed by breathing on a person b: the act of blowing something (as a gas, powder, or vapor) into a body cavity — **in-suf-flate** *\in(t)-sə-'flāt, -in-sə-'flāt* *vi* — **in-suf-fla-tor** *n*

**in-su-lant** *\in(t)-sə-'lant* *n* (ca. 1929) *chiefly Brit*: INSULATION 2  
**in-su-lar** *\in(t)-sə-'lār, -sū-, -in-shə-'lār* *adj* [LL *insularis*, fr. *L insula* island] (1611) 1a: of, relating to, or constituting an island b: dwelling or situated on an island (~ residents) 2: characteristic of an isolated people; esp: being, having, or reflecting a narrow provincial viewpoint 3: of or relating to an island of cells or tissue — **in-su-lar-ism** *\in-sə-'lār-izəm* *n* — **in-su-lar-i-ty** *\in(t)-sə-'lār-ē-tē, -sū-, -in-shə-'lār-ē-tē* *n* — **in-su-lar-ly** *\in(t)-sə-'lār-lē, -sū-, -in-shə-'lār-lē* *adv*

**in-su-late** *\in(t)-sə-'lāt, -in-shə-'lāt* *vi* — **in-su-late** *adj*  
 to place in a detached situation: ISOLATE; esp: to separate from conducting bodies by means of nonconductors so as to prevent transfer of electricity, heat, or sound  
**in-su-la-tion** *\in(t)-sə-'lā-shən* *n* (1798) 1a: the action of insulating b: the state of being insulated 2: material used in insulating  
**in-su-la-tor** *\in(t)-sə-'lā-tər* *n* (1801): one that insulates: as a: a material that is a poor conductor (as of electricity or heat) — compare SEMICONDUCTOR b: a device made of an electrical insulating material and used for separating or supporting conductors

**in-su-lin** *\in(t)-sə-'lən* *n* [NL *insula* islet (of Langerhans), fr. *L. insula*] (1914): a protein pancreatic hormone secreted by the islets of Langerhans that is essential esp. for the metabolism of carbohydrates and is used in the treatment and control of diabetes mellitus  
**insulin-dependent diabetes** *n* (1980): TYPE 1 DIABETES  
**insulin-dependent diabetes mellitus** *n* (1980): TYPE 1 DIABETES — abbr. IDDM

**insulin shock** *n* (1925): hypoglycemia associated with the presence of excessive insulin in the system and characterized by progressive development of coma

**in-sult** *\in-'səlt* *vb* [MF or L; MF *insulter*, fr. *L insultare*, lit. to spring upon, fr. *in- + saltare* to leap — more at SALTATION] *vi* (1540) *archaic*: to behave with pride or arrogance: VAUNT ~ *vt*: to treat with insolence, indignity, or contempt: AFFRONT; also: to affect offensively or damagingly (doggerel that ~s the reader's intelligence) *syn* see OFFEND — **in-sult-er** *n* — **in-sult-ing-ly** *\in-'səlt-ŋ-lē* *adv*

**in-sult** *\in-'səlt* *n* (1671) 1: a gross indignity 2: injury to the body or one of its parts; also: something that causes or has a potential for causing such insult (pollution and other environmental ~s)  
**in-su-per-a-ble** *\in-'sū-p(ə)-rə-bəl* *adj* [ME, fr. MF & L; MF, fr. *L insuperabilis*, fr. *in- + superare* to surmount, fr. *super* over — more at OVER] (14c): incapable of being surmounted, overcome, passed over, or solved (~ difficulties) — **in-su-per-a-bly** *\in-'sū-p(ə)-rə-bəl-lē* *adv*

**in-sup-er-a-ble** *\in-'sū-p(ə)-rə-bəl* *adj* [ME, fr. MF & L; MF, fr. *L insuperabilis*, fr. *in- + superare* to surmount, fr. *super* over — more at OVER] (14c): incapable of being surmounted, overcome, passed over, or solved (~ difficulties) — **in-su-per-a-bly** *\in-'sū-p(ə)-rə-bəl-lē* *adv*

**in-sup-press-ible** *\in-'sū-p(ə)-rə-bəl* *adj* (1810): that may be insured — **in-sur-**  
**abil-i-ty** *\in-'sū-p(ə)-rə-bəl-lē* *n*

**in-sur-ance** *\in-'sū-əns* *n* (1651) 1a: the business of insuring persons or property b: coverage by contract whereby one party undertakes to indemnify or guarantee another against loss by a specified contingency or peril c: the sum for which something is insured ~ against price changes

**insurance** *adj* (1954): being a score that adds to a team's lead and makes it impossible for the opposing team to tie the game with its next score (~ run)

**in-sure** *\in-'sū-ər* *vb* **in-sured**; **in-sur-ing** [ME, fr. *L insure*, lit. to spring upon, fr. *in- + saltare* to leap — more at SALTATION] *vi* (1540) *archaic*: to make certain esp. by taking necessary measures and precautions ~ *vt*: to contract to give or take insurance *syn* see ENSURE

**insured** *n* (1681): a person whose life or property is insured  
**in-sur-er** *\in-'sū-ər* *n* (1654): one that insures; *specif*: an insurance underwriter

**in-sur-gence** *\in-'sə-ʒən(t)-s* *n* (1847): an act or the action of being insurgent: INSURRECTION

**in-sur-gen-cy** *\in-'sə-ʒən(t)-s* *n*, *pl -cies* (1803) 1: the quality or condition of being insurgent; *specif*: a condition of revolt against a government less than an organized revolution and that is not recognized as such 2: INSURGENCE

**in-sur-gent** *\in-'sə-ʒənt* *n* [L *insurgens*, *insurgens* (pp. of *insurgere*) to rise up, fr. *in- + surgere* to rise — more at SURGE] (1765) 1: one who revolts against civil authority or an established government 2: one who rebels not recognized as a belligerent 3: one who is a belligerent 4: policies and decisions of one's own political party

**insurgent** *adj* (1814): rising in opposition to established authority or established leadership: REBELLIOUS — **in-sur-gent-ly** *adv*

**in-sur-moun-table** *\in(t)-sə-'maun-tə-bəl* *adj* (1690): impossible to be surmounted: INSUPERABLE (~ problems)

**in-sur-rec-tion** *\in(t)-sə-'rek-shən* *n* [ME, fr. MF *insurrection*, fr. *insurgere*] (15c): an act or instance of revolt against civil authority or an established government; *syn* see REBELLION

**in-sur-rec-tion-al** *\in(t)-sə-'rek-shən-l* *adj* — **in-sur-rec-tion-ist** *adj* — **in-sur-rec-tion-ism** *n* — **in-sur-rec-tion-ist-ly** *adv* (1603): not susceptible of being cut off or removed

**in-tact** *\in-'tækt* *adj* [ME *intactus*, fr. *L intactus*, fr. *intactus* to touch — more at TANGENT] (15c): 1: unimpaired; anything that harms or diminishes 2: ENTIRE, UNIMPAIRED 3: a body or its parts: having no relevant component removed or destroyed 4: a: physically virginal b: not castrated. *syn* see PERFECT

**in-ta-glio** *\in-'tæl(-)jō, -tāl-, -tā-glē, -ō, -tā-* *n*, *pl -glios* [It, fr. *intagliare* to engrave, cut, fr. *ML intaliare*, fr. *L in- + LL talliare* to cut — more at TAILOR] (1644) 1a: an engraving or incised figure in stone or other hard material depressed below the surface so that an impression from the design yields an image in relief b: the art or process of executing intaglios c: printing (as in die stamping and engraving) done from a plate in which the image is sunk below the surface 2: something (as a gem) carved in intaglio

**in-take** *\in-'tækt* *n* (15c) 1: an opening through which fluid enters an enclosure a: a taking in b(1): the amount taken in (2): something taken in: INPUT

**in-tan-gi-ble** *\in-'tæn-jə-bəl* *adj* [F or ML; F, fr. *ML intangibilis*, fr. *in- + LL tangibilis* tangible] (1640): not tangible: IMPALPABLE  
**in-tan-gi-bly** *\in-'tæn-jə-bəl-lē* *adv* — **in-tan-gi-bly** *adv*

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**in-te-gra-tiv** *\in-'tē-grə-tiv* *adj* (1862): serving to unite; directed toward integration

**in-te-gra-tion** *\in-'tē-grə-ti-ŋ* *n* (1876): one that integrates; a process that totalizes variable quantities in a unit

**in-te-gra-tion** *\in-'tē-grə-ti-ŋ* *n* [ME *integrare*, fr. MF & L *integrare*, fr. *integrare* to make whole] (14c): 1: the process of making whole or of making parts into a whole 2: the process of making whole or of making parts into a whole 3: the process of making whole or of making parts into a whole

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